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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,735	03/21/2000	Shalom Levin	EPLC/03	7129

7590

07/23/2002

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EXAMINER

KOVACS, ARPAD F

ART UNIT

PAPER NUMBER

3671

DATE MAILED: 07/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/531,735

Applicant(s)

Levin et al.

Examiner

Árpád Fábán Kovács

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 4, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-13 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-13 is/are allowed.
- 6) ☒ Claim(s) 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on Nov 28, 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. Claim(s) 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Comer (4335567).

Comer discloses a mower blade assembly comprising:

in re independent claim 6, a shaft (62) rotatable communication with a motor (76);

a stub (or sleeve of the shaft, ref 66);

a blade (8), including a receiver (inside ref 60), including members for receiving the stub and retaining the stub in the receiver in a releasable engagement (68);

the shaft, stub, and receiver are coaxial (fig 11);

in re claim 7, the stub includes an outer surface (outer surface of ref 66), and receiver includes an inner surface (i.e. the inner surface of the receiver ref 60), the surfaces are capable of allowing a sufficient but minimal amount of rotational play for the blade (especially if ref 70 is not too tight);

in re claim 8, the members include flexible bodies (as shown on fig 11, members ref 68 are thin enough to be flexible for spring like behavior), the bodies terminating in outwardly extending platforms (as shown on fig 11, the outwardly extending parts of ref 68 is a flat platform), the members being operable when pressure is applied to the outwardly extending platforms (if pressure is applied to the platforms the members are operable).

2. Claim(s) 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Brant et al (5881465).

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Brant discloses a vegetation cutter or mower comprising:

in re independent claim 6, a shaft (110, 103) in rotatable communication with a motor (102);

a stub (head ref 108) in communication with the shaft;

a blade or cutting element (col 4, line 24), including a receiver (134) including members (142) for receiving the stub and retaining the stub in the receiver in a releasable engagement (as shown in figs 2A-2C & 1, the members proceed releasably/resiliently up on the ramp ref 140 into a retaining/engaging position of the stub and vice versa);

the shaft, stub, and receiver are coaxial (see fig 1);

in re claim 7, the stub includes an outer surface (outside surface of ref 108), and the receiver includes inner surface (inner surface of ref 134), the surfaces allow a sufficient but minimal amount of rotational play of the blade (the blade is capable of rotating since it is not secured, such as with a bolt);

in re claim 8, the members include flexible bodies (ref 142) for spring like behavior and terminating in outwardly extending platforms, the members operable when pressure is applied (along ramp 140) to the outwardly extending platforms.

Allowable Subject Matter

3. Claims 9-13 are allowed.

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Response to Arguments

4. Applicant's arguments with respect to claims 6-13 have been considered but are moot in view of the new ground(s) of rejection.

Applicant has amended claim 6 to overcome Wilcox (4882896) by reciting that the blade includes the receiver, therefore Wilcox anticipation of claims 6-13 have been removed in view of the amendment and arguments presented.

In view of the Applicant's amendment of claim 6, the Examiner rejected claims 6-8 as being anticipated by Comer and Brant (as detailed above).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

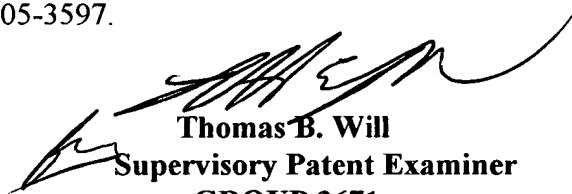
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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ballas, Sr, Klinger (DE 3618177A1) show closely related arts to applicant's invention.

Any inquiry concerning this communication should be directed to Árpád Fábíán Kovács at telephone number (703) 308-5897, or in my absence contact Thomas B. Will whose telephone number is (703) 308-3870.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113. The fax phone number for the Group is (703) 305-3597.


Thomas B. Will
Supervisory Patent Examiner
GROUP 3671

áfk/ÁFK
July 21, 2002